HUMAN RIGHTS

Workshop on international human rights instruments and reporting obligations: preparation of reports to United Nations human rights treaty bodies

Report

Moscow, 26-30 August 1991

UNITED NATIONS

World Campaign for Human Rights

HR/PUB/91/5

Centre for Human Rights
Geneva

Workshop on international human rights instruments and reporting obligations:
preparation of reports to United Nations human rights treaty bodies

Report

Moscow, 26-30 August 1991

United Nations
New York, 1992

NOTE

Material contained in this series may be freely quoted or reprinted, provided credit is given and a copy of the publication containing the reprinted material is sent to the United Nations, Centre for Human Rights, 1211 Geneva 10, Switzerland.

•
• •

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

HR/PUB/91/5

CONTENTS

	Page
Introduction	1
Opening session	3
Working sessions I and II—The international system for the promotion and protection of human rights and implementation mechanisms	6
Working session III—National institutions for the promotion and protection of human rights	12
Working sessions IV and V—Basic principles with regard to the preparation and presentation of reports: the Human Rights Committee and the Committee on Economic, Social and Cultural Rights	17
Working sessions VI, VII and VIII—Basic principles with regard to the preparation and presentation of reports: the Committee on the Elimination of Racial Discrimination, the Committee Against Torture and the Committee on the Rights of the Child	22
Closing session	27

Annexes

I.	Programme of the workshop on international human rights instruments and reporting obligations: preparation of reports to United Nations human rights treaty bodies	29
II.	List of speakers	31

INTRODUCTION

A workshop on international human rights instruments and reporting obligations, focusing on the preparation of reports to United Nations human rights treaty bodies, was held in Moscow from 26 to 30 August 1991. The Workshop was organized by the United Nations Centre for Human Rights in co-operation with the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries and with the support of the Government of the Union of Soviet Socialist Republics. It formed part of the advisory services and technical assistance programme of the Centre for Human Rights.

Experts from various United Nations human rights bodies presented topical issues relating to human rights instruments and reporting obligations. The presentations were followed by discussions with lively audience participation (for the programme of the Workshop and the list of speakers, see annexes I and II). Mr. Jan Martenson, Under-Secretary-General for Human Rights, Mrs. Valentina Tereshkova, Chairman of the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries, Mr. Enayat Houshmand, Deputy Director a.i. of the Centre for Human Rights, and Mr. Boris Krylov, Professor of Constitutional Law, Institute of Soviet State Government and Legislation, co-chaired the meetings.

More than 40 participants, among them representatives of non-governmental organizations, took the floor during discussions following the presentations by panellists.

The Workshop consisted of an official opening session, eight working sessions and a closing session. The working sessions addressed respectively:

I and II: The international system for the promotion and protection of human rights and implementation mechanisms;

III: National institutions for the promotion and protection of human rights;

IV and V: Basic principles with regard to the preparation and presentation of reports: the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

VI, VII and VIII: Basic principles with regard to the preparation and presentation of reports: the Committee on the Elimination of Racial Discrimination, the Committee Against Torture and the Committee on the Rights of the Child.

OPENING SESSION

In her welcoming remarks, Mrs. Tereshkova thanked the organizers for their commitment, which had made the workshop possible. She underscored the importance of international human rights instruments and, more generally, of the protection of human rights and fundamental freedoms at that particular moment in the contemporary history of the Soviet Union.

In his opening statement, Mr. Martenson recalled that the history of the United Nations was very much the history of human rights. Human rights and fundamental freedoms were inherent to all human beings without any distinction as to their race, sex, language or religion. Lack of respect for those rights was not only a tragedy that directly affected individuals, it was also a primary cause of conditions that often resulted in the outbreak of violence, affecting entire societies or even nations. In that regard, the peoples of the Soviet Union were to be congratulated for their courageous resistance to the recent threats to the constitutional and legal order, which had shown their deep attachment to democracy, the rule of law and human rights and had brought about the restoration of the constitutional Government.

Mr. Martenson explained that the United Nations had developed, on the basis of the International Bill of Human Rights, a complex and comprehensive system for the promotion and protection of human rights. The implementation of international human rights was entrusted to a number of bodies whose tasks could be divided into four categories: the consideration of States' reports by human rights treaty bodies to monitor the States' compliance with their human rights treaty obligations; the consideration by the Commission on Human Rights, through special rapporteurs or working groups, of reports of particularly serious violations of human rights, such as arbitrary or summary executions, torture, disappearances and arbitrary detention; the study by the Commission and the General Assembly of the human rights situation in specific countries or territories; and the examination by human rights organs of petitions from individuals and organizations alleging serious, widespread and systematic violations of human rights. The United Nations in its standard-setting and international implementation of human rights had had a significant impact on the way people lived throughout the world. National legislative norms on human rights had been laid down for millions of people and the United Nations had helped to place in their hands recourse procedures enabling them to protect their own human rights.

A very solid legislative foundation of international norms had indeed been laid and much progress had been achieved in creating the international machinery for monitoring compliance with those standards. However, much remained to be done to strengthen institutions at the national level and to promote public awareness of human rights. In that regard, Mr. Martenson highlighted the achievements of the Centre for Human Rights programme for advisory services and technical assistance in the field of human rights. That programme was carried out in an action-oriented and pragmatic fashion in close consultation with Governments, as well as regional and international organizations, and provided tailor-made assistance to countries which availed themselves of its services. In the context of that programme, Mr. Martenson highlighted the support provided by the Centre for Human Rights to the democratization process in Eastern and Central Europe.

Stressing the Centre's efforts to respond effectively and efficiently to the growing need for information coming from Governments, groups and individuals in all Member States, Mr. Martenson emphasized the achievements of the World Public Information Campaign for Human Rights. The success of those activities was clearly reflected in the increased number of ratifications of United Nations human rights instruments.

Finally, Mr. Martenson noted that the rule of law was an essential corner-stone of democracy and that it was the expectation by citizens that they would be treated in accordance with the law, impartially and without discrimination, that was the very cement of a democratic society. In that respect, fairness and justice in a country's legal system would go a long way in promoting the adherence of the citizen to that country's institutions and thus promote development within democratic institutions. It was also self-evident that economic and social development depended in large measure on the sense of legal security and expectation of justice of the population in general, as well as those called upon to make decisions in those areas. Thus, in promoting justice, equality, openness and respect for human rights in the administration of justice, Governments were directly promoting the overall development of society. Observing that from the Universal Declaration of Human Rights onwards, the United Nations had developed detailed international norms regarding the administration of criminal justice in particular, he pointed out that one of the key elements in that respect was the independence and impartiality of the judiciary, jurors and assessors, as well as the independence of lawyers.

Mr. Krylov expressed his profound satisfaction that the Workshop was being held at a time of radical change in his country. Human rights and fundamental freedoms had acquired a special significance during the events that had taken place the previous week. Although legislation had recently been enacted regarding freedom of movement and freedom of conscience and expression in particular, those principles had not yet been fully implemented.

Such shortcomings demonstrated the need progressively to improve legislative provisions, to co-ordinate efforts to that effect between the Union and the Republics and to disseminate knowledge of human rights standards throughout the country. He further underlined that the realization of democracy implied not only pluralism but also respect for minorities.

Mr. Petrovsky (Deputy Minister of Foreign Affairs of the Union of Soviet Socialist Republics), speaking as Executive Secretary of the Conference on Human Dimensions within the framework of the Conference on Security and Co-operation in Europe, explained that despite recent tragic attempts at re-establishing a totalitarian régime in the country, the Conference on Human Dimensions would be convened on 10 September 1991 in Moscow. The holding of such a conference represented a significant contribution to the strengthening of democracy in his country. Furthermore, the need to re-conceptualize the principle of non-interference in domestic affairs had been clearly demonstrated in the light of failed efforts to overthrow the constitutional order of the Soviet Union.

WORKING SESSIONS I AND II

The international system for the promotion and protection of human rights and implementation mechanisms

After outlining the history of United Nations efforts in the field of human rights, Mr. Fausto Pocar (Chairman, Human Rights Committee), detailed the scope and nature of the obligations of States to protect and promote human rights under various provisions of the Charter of the United Nations. The framers of the Charter had not, however, defined the contents of human rights and that task had been left to the Organization itself. Although the Universal Declaration of Human Rights, adopted by the General Assembly on 10 December 1948, was not binding in itself, it represented the first attempt to elaborate standards in the framework of the obligations set forth in articles 55 and 56 of the Charter and had brought about the internationalization of human rights. United Nations human rights instruments, such as the International Covenants on Human Rights, had further developed the standards enshrined in the Declaration and had given them legally binding effect.

Mr. Pocar referred to a distinction which could be made between treaty-based and Charter-based mechanisms. While control mechanisms provided for in treaties were only operative with respect to States parties to those instruments, had a permanent character and were technical in nature, Charter-based control procedures owed their existence to a resolution of a policy organ.

Mr. Pocar further emphasized that the reporting system originally introduced by the International Labour Organisation represented a technical approach to human rights issues. The reporting system had found its way into a number of important instruments and was mainly non-contentious in nature and based on the method of dialogue with the purpose of assisting States in the implementation of the standards. Reports submitted by States parties were considered by committees of independent experts, who discussed respect for human rights with government representatives. Those examinations, carried out in a constructive manner, often led to modifications in practices or law as a result of questions raised and comments made by members of the committees.

Under the Optional Protocol to the International Covenant on Civil and Political Rights, article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination and article 22 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the committees were also empowered, on an optional basis, to deal with complaints lodged by individuals regarding alleged violations of their rights by the State party. A common feature of those complaints procedures was their quasi-judicial character. In that respect, Mr. Pocar warmly welcomed the recently announced decision by which the Supreme Soviet had anticipated the accession of the Soviet Union to the Optional Protocol and expressed the hope that instruments of ratification would be deposited with the Secretary-General as soon as possible.

Mr. Pocar pointed out that special procedures, such as the appointment of special rapporteurs, had come into being as a result of recommendations made by the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities. Study of the human rights situation in specific countries or territories, as well as certain practices affecting large numbers of people in many countries, such as torture, disappearances and arbitrary or summary executions, had thus been undertaken. Working groups or special rapporteurs had been appointed to investigate those issues and their reports, with conclusions and recommendations, were regularly discussed by policy-making organs, including the General Assembly. The Commission had also developed a mechanism by which it considered in closed session petitions from individuals and organizations alleging serious, massive and systematic violations of human rights under the so-called 1503 procedure.

Mr. Bruno Simma (Member, Committee on Economic, Social and Cultural Rights) emphasized that, at present, relations between States and individuals were the subject of international concern ranging from discussions of human rights matters in international bodies to judgements by human rights courts. Human rights, however, remained a profoundly national issue and respect for human rights had to grow out of the political and legal culture of a country in order to be lasting. In that regard, the main purpose of the adoption of international human rights instruments had been to strengthen, secure, reinforce and encourage domestic implementation of human rights. In order to scrutinize the impact of international human rights instruments at the domestic level, it was necessary to inquire whether those instruments were made part of the municipal legal order, what their rank was *vis-à-vis* domestic law, whether their provisions had a self-executing character, and whether they were published, disseminated and included in school curricula.

Mr. Simma referred to Charter-based control mechanisms—such as procedures under Economic and Social Council resolutions 1235 (XLII) and

1503 (XLVIII), country-oriented or thematic approaches, advisory services and technical assistance—and pointed out that the principle of non-interference in domestic affairs was no longer an issue where grave violations of human rights were concerned. Furthermore, contrary to treaty-based procedures, those mechanisms concerned all States Members of the United Nations. He also referred to several shortcomings of the international monitoring system. Owing to the proliferation of human rights instruments and supervisory mechanisms, States parties were facing increasing problems with regard to their reporting obligation and, consequently, the number of overdue reports was continually growing. Other problems related to the number and extent of reservations to international instruments, of which the compatibility with the object and purpose of the given instruments was often questioned, as well as derogations to human rights in times of public emergency or margins of appreciation granted to Governments in the implementation of provisions of some treaties, such as article 19 of the Covenant on Civil and Political Rights. Specific suggestions had been made regarding effective implementation of international human rights instruments, including reporting obligations under those instruments, in a report submitted to the General Assembly by Mr. Alston, who was also Rapporteur of the Committee on Economic, Social and Cultural Rights (A/44/668).

Referring more specifically to the reporting mechanisms, he explained that treaty bodies often touched upon "political questions". The preparation and consideration of States parties' reports had indeed to be considered as "catalysts triggering domestic processes". The current practice of members of treaty bodies' making concluding observations at the end of the consideration of each State party report and/or the chairman summarizing the issues discussed had been, in that regard, very fruitful. He considered, however, that the practice could be further improved. He added that the necessity for constructive dialogue should not limit the Committee in its role regarding grave violations of human rights. One of the most important recent developments in that regard had been the tendency for several human rights treaty bodies to request States parties' reports on an *ad hoc* basis.

Mr. Martenson emphasized that information/education was an essential element in the widest possible realization of human rights and fundamental freedoms by all people everywhere. Efforts undertaken in that respect by the Centre for Human Rights had contributed to a large extent to the dissemination of knowledge on the various human rights standards, as well as on the machinery available for ensuring their implementation. Furthermore, the forthcoming 1993 World Conference on Human Rights presented a unique opportunity to explore ways and means of improving implementation of existing human rights instruments, as well as to formulate concrete recommendations aimed at improving methods and mechanisms used by the United Nations in the field of human rights.

Discussion

Mr. Yakovlev (Chairman of the Supreme Court of Arbitration of the Soviet Union and former Minister of Justice) referred to the consideration by the Human Rights Committee of the third periodic report of the Soviet Union in November 1989 and drew attention to the fact that many draft laws which had been mentioned in the course of the discussion had since been enacted, including legislation relating to freedom of conscience and association. The judiciary had not yet attained full independence, however, and that fundamental task still remained to be undertaken at that historical moment in the process of *perestroika* and *glasnost*. Apart from the strengthening of the judiciary, the creation of effective mechanisms for the protection of human rights in the Union, as well as in the sovereign Republics, was a priority. The establishment of the Supreme Court of Arbitration of the Soviet Union dealing with economic and social rights in the context of the legal recognition of private ownership constituted a further fundamental development. It was the first example in the history of the Soviet Union of judges being appointed for life. In future, the Supreme Court of Arbitration would play a role similar to that of the European Court of Justice in so far as anti-monopoly legislation and the protection of private property were concerned.

Mr. Krylov expressed the wish to receive further information on the implementation of international human rights instruments at the domestic level. In that regard, he inquired whether international implementation procedures were purported to monitor the human rights situation at the national level, whether treaty bodies could make concrete recommendations on the improvement of national standards and whether there was a special procedure to address massive violations of human rights. Mr. Nazarov (Information Bureau for Human Rights) wished to receive detailed information on States parties' practices regarding conflicts between the provisions of international law and domestic legislation and on the "jurisprudence" of human rights treaty bodies in that respect.

Mr. Pocar replied that although the international monitoring system only concerned violations of international human rights instruments, conformity of national legislation with international obligations was supervised when treaty bodies considered States' reports: one of the objects of the reporting system was precisely to improve the domestic implementation of human rights standards. Although treaty bodies did not take concrete steps regarding the compatibility of provisions of national legislation with international standards, specific recommendations regarding shortcomings of domestic legislation were made by individual members at the concluding stage of the consideration of States' reports. Consideration by some treaty bodies of individual communications had also brought about changes in domestic legislation.

Mr. Simma added that, in accordance with article 26 of the Vienna Convention on the Law of Treaties, in cases of incompatibility between provisions of domestic law and international standards, the latter had to prevail. In many cases, treaty bodies had suggested that States parties should incorporate the international instruments into their Constitution in order to avoid any problems in that regard.

Mr. Avdeyev (Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries), Mr. Barsegov (Institute of World Economy and International Relations) and Mr. Borisov (Trade Union Coalition) expressed their deep concern at the situation of hundreds of thousands of refugees fleeing the territory of their native Republics to other Republics within the Soviet Union and inquired how the United Nations human rights bodies could react to violations of their rights by the Union and, more particularly, by some of the Republics. They also criticized the lack of independence of the judiciary in the Soviet Union, as well as the absence of any body which could monitor the compatibility with international human rights standards of legislation newly enacted by the Union or by the Republics. In that respect, Mr. Savin (Institute of Socio-Political Research of the Academy of Science) made some specific recommendations regarding the establishment in the Soviet Union of mechanisms aimed at the protection and promotion of human rights, and on the contribution in that regard of sociological institutes. It was also asked whether there were any mechanisms whereby membership in the United Nations was limited to those States that acceded to international human rights instruments.

Mr. Sariev (Member, Supreme Soviet of the Turkmenistan SSR) outlined a number of legal acts relating to implementation of international human rights standards, in particular as concerned women's and children's rights, which had recently been adopted by the Supreme Soviet of the Turkmenistan SSR and expressed the wish that the international community would in future focus on the situation of human rights not only at the level of the Union but also at the level of the Republics.

Mr. Banton (Rapporteur, Committee on the Elimination of Racial Discrimination) stressed that behaviour having the purpose or effect of treating people less favourably on grounds of race, colour or national origin was forbidden under the International Convention on the Elimination of All Forms of Racial Discrimination. Under that instrument, therefore, refugees could be protected in so far as they had been treated differently on grounds of their national origin. He also referred to the potential contribution of sociological research institutes to the promotion and protection of human rights, as well as to the prevention of their violation, in particular in the field of racial discrimination.

Mr. Houshmand referred to United Nations instruments dealing with the situation of refugees and explained that such instruments were not aimed

at providing protection for internally displaced persons or against massive movements of population within the territory of a sovereign State. He further observed that although thousands of complaints had been received on that specific issue and the problem was under consideration by the United Nations, lasting solutions could only be found at the national level. Referring to activities undertaken in that area by United Nations human rights bodies, he recalled that the Commission on Human Rights had appointed Special Rapporteurs to investigate situations which revealed a consistent pattern of violations of human rights. Furthermore, article 14 of the International Convention on the Elimination of Racial Discrimination provided for the possibility for individuals or groups of individuals to refer communications to the Committee when they believed their rights under the Convention had been violated.

Mr. Pocar explained that admission to the United Nations was a political act of the General Assembly based on article 4 of the Charter of the United Nations and newly established States were not bound to accede to any human rights instruments. Mr. Simma, however, added that, in practice, every step would be taken to encourage those newly established States to become parties to such instruments. Both speakers further pointed to the necessity of enhancing respect for human rights and fundamental freedoms at the national level and emphasized the importance of disseminating information to the public at large and educating people in the field of human rights.

Mrs. Ryabova (Trade Union Coalition) wished to receive information on the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

Mrs. Santos Pais (Member, Committee on the Rights of the Child) and Mr. Houshmand explained that in accordance with principles of international law, declarations adopted by the United Nations Congress on the Prevention of Crime and the Treatment of Offenders which were not subject to any act of ratification or accession were not legally binding. However, the impact of those declarations at the national level should not be underestimated and, at its latest session, the Congress had begun to establish mechanisms aimed at monitoring the implementation of any such declarations previously adopted.

WORKING SESSION III

National institutions for the promotion and protection of human rights

Mr. Houshmand emphasized the significant role which institutions at the national level could play in protecting and promoting human rights and fundamental freedoms and in developing and enhancing public awareness and observance of those rights and freedoms. Several General Assembly resolutions had encouraged member States to establish or, where they already existed, to strengthen such institutions and to maintain their independence and integrity. Priority should therefore be accorded, at the national level, to the development of appropriate arrangements to ensure the effective implementation of international human rights standards.

National human rights commissions or parliamentary ombudsmen performed, at the national or local level, functions similar to those of international human rights treaty bodies in international forums. Similarly, the establishment of inter-ministerial committees might be envisaged to carry out functions relating to the co-ordination of the preparation of reports to be submitted to human rights treaty bodies.

Mr. Reshetov (Member, Committee on the Elimination of Racial Discrimination) presented a review of the role of national institutions for the promotion and protection of human rights in the Soviet Union. Apart from the Supreme Soviet and its Constitutional Committee, new institutions, such as a parliamentary ombudsman, had to be set up to perform some of the functions which were, at present, assigned to the Office of the Procurator. In addition, new formulae had to be found to scrutinize the compliance of domestic legislation with international norms and standards. Since the Constitutional Committee of the Supreme Soviet did not perform those functions, it was necessary to envisage the establishment of a constitutional court. That court would have to scrutinize the conformity of provisions of national legislation with international instruments and to investigate complaints referred to it by Republic authorities alleging that human rights had been violated as the result of action or omission by the Union authorities. The establishment of such a court, as well as the office of ombudsman, would undoubtedly contribute to bringing domestic laws more into line with international obligations. Similarly, he underlined the contribution of the media and non-

governmental organizations to the strengthening of national institutions for the protection and promotion of human rights and to the incorporation of those elements in national development plans.

Although legislation had recently been passed in the Soviet Union regarding freedom of the press, freedom of movement and freedom of conscience, there were, according to Mr. Reshetov, still some discrepancies between provisions of those instruments and international human rights standards, and further efforts had to be undertaken in other areas. Moreover, it was fundamental that an independent and impartial judiciary be set up in his country. On the basis of the experience of other federal States, it was also desirable that, in future, implementation of human rights legislation should fall under the responsibility of the Republics' authorities. He further suggested that his country should consider acceding to the Second Optional Protocol to the Covenant on Civil and Political Rights, aimed at the abolition of the death penalty, and adopt legislation regarding alternative forms of military service.

Discussion

Mr. Krylov mentioned that many national institutions which had previously shared responsibility regarding the promotion and protection of human rights had been part of the apparatus of the Communist Party of the Soviet Union. Since that Party had just been banned, it was necessary to reconceptualize the functions and activities of national institutions in the Soviet Union.

Mr. Ametistov (Committee on Human Rights of the Supreme Soviet of the Russian Federation) explained that the most important institution for the promotion and protection of human rights in the Soviet Union was, at present, the Supreme Soviet and its subsidiary bodies. Positive developments had been recorded in recent years regarding the recognition of the right to own property, and the operation of the right to strike. Other fundamental developments related to the withdrawal of some abhorrent provisions, such as article 6 of the Constitution or article 195 of the Criminal Code. Accession to the optional clauses of some international instruments on human rights allowing individuals or groups of individuals to refer their complaints to human rights treaty bodies when they believed their rights under the Convention had been violated was a further encouraging step.

It was, however, necessary, according to Mr. Ametistov, to refer to some shortcomings in the human rights legislation of the Soviet Union. Several restrictive provisions of recently adopted human rights legislation had paved the way for the attempted coup. It was precisely the lack of sufficient legal safeguards in the provisions of the existing legislation regulating states of emergency which had encouraged the conspirators to attempt to overthrow the constitutional and legal order of the country. Similarly, the regula-

tions governing the rights and duties of the armed forces, adopted in 1988, had enabled members of the security forces to search houses without any legal warrant. Provisions relating to the freedom of assembly and association, including the right to strike, were in clear contradiction with international standards enshrined in the International Covenants on Human Rights. Priority should henceforth be given to strengthening national legislation and giving primacy to provisions of international law over those of domestic law in cases of conflict.

Mr. Nazarov (Moscow Information Bureau for Human Rights) and Mr. Smirnov (Co-ordinator, Moscow Helsinki Groups) outlined the functions and activities of their respective organizations and described their contribution to the restoration of constitutional order during the unfortunate events of the previous week. They regretted the lack of politicization of the population, as well as of an adequate national infrastructure for the promotion and protection of human rights. Mr. Nazarov further underlined the crucial necessity for national institutions which purported to contribute to the protection of human rights being independent from the authorities. Mr. Smirnov added that Helsinki groups could now be legally registered. He regretted, however, that the structure of non-governmental organizations and, in particular, of law-defender groups was not adapted to the large scale of human rights violations in the Soviet Union and that they did not receive any assistance or support from the authorities.

Mr. Sarvarov (All-Union Society of Meschetian Turks, "Vaton" Society) referred to serious violations of the human rights of Meschetian Turks, who had been deported in 1944 from Georgia to several locations all over the country, in particular to the Kazakhstan SSR. More than 270,000 Meschetian Turks were scattered all over the country. They had suffered great losses, as well as cruel attempts to deprive them of their cultural identity. They had also been victims of mistreatment and acts of torture and, since they were not legally registered, they could not receive allowances, pensions or grants. Meschetian Turks had repeatedly requested the right to return to their motherland but all their historical rights had not yet been restored. Although the Supreme Soviet had adopted in 1988 a declaration admitting that serious crimes had been committed against them, neither the Union nor the Georgian authorities had taken any concrete steps to satisfy the revendications of the Meschetian Turks, whereas the Crimean Tartars and the Volga Germans had recently been authorized to return to their motherland.

Mr. Kuchinsky (Ministry of Home Affairs of the USSR) referred to objective conditions affecting the realization of human rights at the Union and Republic levels. Although many participants had already mentioned violations of civil and political rights, he believed that the main problems affecting the Soviet Union related to the economic situation. Pointing to the

specific situation in the Byelorussian SSR, he underlined the impact of the tragedy of Chernobyl and of repeated miners' strikes on the enjoyment of economic and social rights. He also expressed his deep concern over the falling apart of the Union and, consequently, the many threats to the rights of nationalities and minorities. Many nationalist groups were advocating racism and discrimination against ethnic Russians. The Byelorussian SSR had issued several warnings against the possible negative effects of the disintegration of the Union on the enjoyment of human rights, particularly of members belonging to minority groups. Lastly, he explained how international human rights instruments were reflected in the Republic's domestic law and he referred, in particular, to drafts relating to the establishment of a constitutional court the purpose of which would be to consider the conformity of new acts of Parliament with provisions of the Constitution and of a new declaration on human rights.

Mr. Barsegov mentioned severe shortcomings in USSR human rights legislation, as well as serious violations of human rights and fundamental freedoms affecting Armenians, in particular those living in the Azerbaijan SSR. Underscoring the extent of the violations, which included forced deportation and shooting of people living in remote areas, he regretted that the international community had not deemed it appropriate to exert its influence and pressure as had been the case on recent occasions in other countries. He further suggested that an international court of human rights be established to monitor the implementation of international human rights instruments at the domestic level.

Mr. Yuri Chernev (Co-chairman, Human Rights Union) provided information on the use of firearms by members of the security forces against peaceful demonstrators in Baku and Tbilisi.

Reacting to concerns expressed by several speakers regarding the implementation of human rights standards at the national level, Mr. Pocar recalled that international law had to take precedence over domestic law. Referring to the reporting system, he emphasized that treaty bodies specifically inquired about factors and difficulties affecting the enjoyment of human rights in the territory of reporting States. Under article 2 of the International Covenant on Civil and Political Rights, each State party had undertaken to take the necessary steps to give effect to the rights recognized therein. The constructive dialogue between reporting States and the Human Rights Committee was aimed at allowing the expert body to evaluate national policies in the field of human rights and helping the State party to adopt such measures as might be necessary to implement the Covenant fully. In that regard, objective conditions hampering the realization of human rights could not exempt a State party from achieving those standards.

Mr. Simma highlighted the steps that had to be taken in order for international law to prevail over domestic law: provisions of international human

rights instruments had to be incorporated into domestic law, be invested with a rank high enough to secure their effective implementation and applicability, and be regarded as self-executing. A way to avoid any problem in that regard was to incorporate the international standards into the Constitution itself. Several constitutional courts all over the world had also ruled that after their country's accession to, or ratification of, international human rights instruments, provisions of those instruments should become part of its constitutional order.

Mr. Banton expressed caution as to the extent to which international monitoring systems might effectively control the actual implementation of human rights at the national level. In that respect, he referred to a variety of problems that had been encountered in recent years by different treaty bodies in the exercise of their activities. The major manifestations of the problems were the financial difficulties experienced by several bodies, as well as the large number of overdue reports.

WORKING SESSIONS IV AND V

Basic principles with regard to the preparation and presentation of reports: the Human Rights Committee and the Committee on Economic, Social and Cultural Rights

Mr. Pocar outlined the reporting obligations of States parties to the Covenant on Civil and Political Rights. Under article 2 (1) of the Covenant, each State party had undertaken to respect and to ensure to all individuals within its territory and under its jurisdiction the rights recognized therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Each State party had to take the necessary steps to adopt legislative and other measures required to give effect to the rights recognized in the Covenant. Furthermore, under article 40, States parties had to submit reports on the measures adopted by them and on any factors and difficulties affecting the implementation of the Covenant.

The Human Rights Committee established under the Covenant was composed of 18 independent experts and was entrusted with the task of considering States parties' reports. Initial reports were to be submitted within one year of the Covenant's entry into force for a country and subsequent reports were due upon request of the Committee. In exercising its powers, it had decided to establish a specific periodicity of five years for the submission of periodic reports. That decision was without prejudice to the power of the Committee to request a subsequent report whenever it deemed appropriate.

Mr. Pocar referred to the general guidelines regarding the form and content of reports submitted under the Covenant. Those guidelines were intended to provide guidance to States parties in their reporting activities and to avoid general and incomplete presentations. They were also designed to ensure that reports offered a complete picture of the situation in each State regarding the implementation of the rights contained in the Covenant. The first part of States parties' reports should be of a general nature and provide background information on the context within which civil and political rights were ensured in the reporting State. The second part of the report

should be devoted, on an article-by-article basis, to the description of measures taken to realize each specific right set forth in the Covenant. In that respect, a detailed description should be made of any restrictions affecting the enjoyment of each protected right, as well as any other difficulty encountered by the State in implementing them.

Referring to the consideration of reports by the Human Rights Committee, Mr. Pocar emphasized that the purpose of a public meeting with representatives of the reporting State was to establish a constructive dialogue between the Committee and the State party; the Committee in its consideration of States' reports was neither a judicial nor a quasi-judicial body. The main function of the Committee was to assist States parties in fulfilling their obligations under the Covenant, to make available to them the experience the Committee had acquired in its examination of other reports and to discuss with them any issue related to the enjoyment of the rights enshrined in the Covenant. Furthermore, after listening to the representatives' explanations, Committee members made general observations on the consideration of the report. In accordance with article 40 (4) of the Covenant, the Committee had adopted several general comments, which were of a more general nature, and made no reference to the information gathered during the consideration of a specific State's report. They reflected the experience gained by the Committee in its consideration of a significant number of reports, and dealt with specific articles of the Covenant, or particular issues raised under it.

In concluding his remarks, Mr. Pocar noted that it was desirable to give the widest possible publicity to the process of reporting and to the State party's co-operation with the Committee. Through the media and other channels, bodies and groups outside the Government, as well as the public at large, should be involved in the discussion about the correct implementation of the Covenant and the full enjoyment of the rights recognized therein.

Mr. Simma mentioned that in contrast to the usual variety of supervisory mechanisms stipulated in treaties for the protection of civil and political rights, the only implementation machinery the Covenant on Economic, Social and Cultural Rights provided for was a reporting system. Originally, the reports submitted by States parties were to be examined by the Economic and Social Council as a whole. From 1976 to 1986, ECOSOC carried out its responsibilities through a sessional working group. It was only in 1985 that the Council decided to establish a new United Nations body to be composed of 18 experts elected in their personal capacities and on the basis of equitable geographic distribution. The new Committee was thus designed to parallel, in some respects, the Human Rights Committee. The first session of the Committee on Economic, Social and Cultural Rights took place in 1987.

In the five sessions which it had held so far, the Committee had examined 55 reports submitted by more than 40 States parties. In order to turn the

monitoring of compliance with the obligations of the Covenant through the examination of States parties' reports into a more relevant, focused and productive exercise, the Committee had constantly reviewed its working methods.

The principal obligation of States parties to the Covenant was to implement its provisions at the national level and the obligation to report to the Committee was essentially a means of promoting the observance of that obligation. Mr. Simma mentioned provisions of articles 16 and 17 of the Covenant which made it clear that States parties' reports had to deal not only with the progress made but also with cases where appropriate progress had not been achieved. States parties were requested to submit an initial report dealing with the entire Covenant within two years of the Covenant's entry into force for the State concerned. After that, a comprehensive periodic report was required every five years. At its latest session, the Committee had adopted a new set of guidelines to provide guidance to States parties in the preparation of their reports. By following those guidelines as closely as possible, reporting officials would minimize the risk of their reports being considered inadequate in scope and insufficient in detail. The 1990 guidelines were divided into two parts: the general part requested a country profile, while part two dealt, on an article-by-article basis, with each of the substantive rights recognized in articles 6 to 15 of the Covenant. A pre-sessional working group scrutinized the reports due for consideration at the session concerned and identified in advance the questions which might most usefully be discussed with the representatives of States parties. Those questions were then put on a list and transmitted directly to the State concerned.

Consideration of a State party's report took place in a public session and in the presence of representatives of the State party concerned who responded to issues included in the list as well as to questions raised and comments made in the course of the discussion by members of the Committee. The final phase of the Committee's examination of the report consisted of a period during which members were invited to offer any concluding observations they wished to make on the basis of all the information available to them. To facilitate the process the Chairman requested a particular member to be the first speaker during the consideration of each report.

According to the first general comment adopted by the Committee, the Committee perceived its role as that of a catalyst setting in motion, assisting and facilitating a variety of processes with the purpose of developing the Covenant's procedure into a device capable of triggering multiple "enabling" effects. A first objective was to ensure that a comprehensive review was undertaken with respect to national legislation, administrative rules, procedures and practices, in an effort to establish the fullest possible conformity with the Covenant. Other objectives were to ensure that the State party monitored the actual situation with respect to each of the rights on a

regular basis and was thus aware of the extent to which the various rights were, or were not, being enjoyed by all individuals under its jurisdiction; to provide the basis for the elaboration of clearly stated and carefully targeted policies; to facilitate public scrutiny of government policies and to encourage input by the various sectors of society into the preparation of the reports and thus also in the formulation, implementation and review of the relevant policies; to provide a basis on which the State party itself, as well as the Committee, could effectively evaluate the extent to which progress had been made towards the realization of the obligations contained in the Covenant; to identify and recognize the factors and difficulties inhibiting the realization of the Covenant rights; and to facilitate the exchange of information among States and to develop a better understanding of the common problems faced by them.

Discussion

Mrs. Ryabova inquired whether Committees' reports were made available to the public and what steps were being taken when information provided in States' reports did not adequately reflect the reality prevailing in the country concerned.

Mr. Pocar stated that summaries of consideration of States parties' reports based on the summary records of the discussion were included in the annual report of the Committee submitted to the General Assembly and that, consequently, information on the work of the Committee was available to the public at large. The Human Rights Committee had indeed faced situations where the information submitted did not provide the Committee with a sufficiently detailed and concrete picture of the existing situation in that State. In those cases, the Committee had reacted very strongly, requesting the reporting State to submit additional information to be submitted for examination at a future session.

Mr. Kolossov (Moscow State Institute of International Relations) referred to reporting difficulties faced by States parties to a large number of different human rights instruments. Nevertheless, as had been underlined by Mr. Simma, reporting responded to a large variety of objectives, one being to improve domestic legislation and practice in the field of human rights. Mr. Kolossov emphasized the role that parliament could play with regard to States' reports reflecting adequately the situation in a given country. He therefore suggested that States parties' reports should be submitted by the administration to legal commissions of national parliaments for finalization. Such an exercise should be undertaken in public session, thus enabling the press and the media to be more fully associated in the reporting process. Similarly, after the consideration of the report by the concerned treaty body, a debate should take place in the parliament, where the delegation would provide ample information on the comments and suggestions made by mem-

bers of the United Nations bodies. Such a procedure would be initiated by the Supreme Soviet on an experimental basis for the preparation of the report of the Soviet Union to be submitted to the Committee on the Rights of the Child. If the experiment proved successful, it would be extended to all reports to be prepared by his country. Lastly, Mr. Kolossov presented a new publication entitled *Soviet Journal of International Law*, in which it was intended to publish all reports submitted by the Soviet Union to human rights treaty bodies, as well as summaries of their consideration by those bodies.

Mr. Borisov complemented Mr. Kolossov's remarks by underlining the necessity for national non-governmental organizations to be included in the reporting procedure, in particular during the consideration of reports.

Mr. Simma noted that, at present, only very few countries associated non-governmental organizations in the preparation of reports. There were, however, other avenues of collaboration between Committees and those organizations. The Committee on Economic, Social and Cultural Rights, which had been established by an Economic and Social Council resolution, encouraged non-governmental organizations to submit information to the Committee. Although other treaty bodies were in a slightly different situation, members of those Committees had access to all available sources of information, including non-governmental ones.

Mr. Pocar shared Mr. Kolossov's point of view and expressed the need for wider dissemination of information relating to the work of human rights treaty bodies, as well as publicization at the national level of the consideration by the expert bodies of States parties' reports.

WORKING SESSIONS VI, VII AND VIII

Basic principles with regard to the preparation and presentation of reports: the Committee on the Elimination of Racial Discrimination, the Committee Against Torture and the Committee on the Rights of the Child

Mr. Banton reviewed the reporting obligations of States parties to the International Convention on the Elimination of Racial Discrimination. In accordance with article 2 of the Convention, States, in becoming parties to the Convention, condemned racial discrimination and undertook to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races. States parties were required to submit periodic reports on the measures taken by them to implement the Convention. Initial reports had to be submitted within one year of the entry into force of the Convention. Subsequent comprehensive periodic reports had to be submitted every four years, and brief updating reports in the intervals. Initial and periodic reports should be prepared in accordance with the general guidelines established by the Committee for the preparation of reports. According to those general guidelines, the first part of the report should provide general background information and the second part should deal individually with each of the substantive provisions of the Convention. The Committee had, for instance, often expressed the wish to receive basic information on nationality, ethnic origin, and languages spoken. Those guidelines together with summary records of the consideration of the previous reports were needed to prepare reports to be submitted to the Committee on the Elimination of Racial Discrimination under article 9 of the Convention. Moreover, before drafting States' reports, reporting officials should seek to understand the perspective of Committee members and to anticipate their questions.

Implementation of the Convention was monitored by the Committee on the Elimination of Racial Discrimination, an independent body composed of 18 experts of high moral standing and acknowledged impartiality. The Committee was the first body created to monitor and review actions by States to fulfil their obligations under a specific human rights instrument.

The activities of the Committee were to be understood as part of a struggle to subject a new area of behaviour to the rule of law. The Committee, like other treaty bodies, acted on the basis of a constructive dialogue with the reporting State. Mr. Banton further stressed that the reporting system was the most decisive element in the monitoring process with which the Committee was entrusted, and it was the principal means by which pressure was brought to bear upon States parties to fulfil their substantive obligations to eliminate racial discrimination in all its forms. At its thirty-sixth session, the Committee, with a view to improving the reporting procedure and streamlining its own method of examination of reports submitted by States parties, had decided to appoint rapporteurs from amongst its members to be responsible for a thorough study and evaluation of each State party report, to prepare a comprehensive list of questions to be put to the representatives of the reporting States and to lead the discussion in the Committee when particular reports were taken up for consideration. Furthermore, at its recently concluded fortieth session, the Committee had decided to adopt at the end of the consideration of each State report its own concluding observations, which were included in the annual report. Mr. Banton provided detailed information on the work of the Committee at its latest session, in particular in so far as articles 4 and 6 of the Convention were concerned.

One problem confronting the Committee, however, was the fact that many reports were not submitted on time, or had not been submitted at all. At its thirty-ninth session, the Committee had argued that the delays in reporting by States parties hampered it in monitoring implementation of the Convention. The Committee had therefore decided that it would proceed with the review of implementation of the provisions of the Convention by the States parties with an unacceptably high number of overdue reports. That review was based upon the last reports submitted by the State party concerned and summary records of their consideration by the Committee.

In addition to the consideration of reports submitted under article 9, the Committee also exercised important functions relating to the consideration of communications from individuals or groups of individuals on matters within the reach of the Convention. In order for individuals to raise a complaint before the Committee, States parties have to make a specific declaration under article 14. Mr. Banton also pointed out that no inter-State complaints under article 11 had yet been brought before the Committee. Article 15 concerned the Committee's role in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

In his preliminary remarks, Mr. Burns (Rapporteur, Committee Against Torture) noted that the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had been adopted by the General Assembly in 1984 and had entered into force on 27 June 1987. He deeply regretted, however, that as of August 1991, the Convention had

only been ratified by 60 States parties. He emphasized that torture was still endemic in the territory of approximately 20 per cent of the States of the world while in a further 20 per cent torture occurred spasmodically. He expressed the wish that the Soviet Union, the Byelorussian SSR and the Ukrainian SSR would withdraw their reservation to article 20 of the Convention, which allowed the Committee to investigate cases of systematic practices of torture, and make declarations recognizing the competence of the Committee to receive and consider inter-State or individual communications (arts. 21 and 22 of the Convention).

Mr. Burns explained that, under article 19 of the Convention, each State party had to submit within one year of its entry into force for the given State an initial report on the measures taken to implement the obligations resulting from the Convention. Subsequently, each State had to submit a periodic report every four years. The general guidelines regarding the form and content of initial reports provided that the first part of each report should be of a general nature while the second part should provide information on an article-by-article basis. The Committee expected reporting States to focus on some provisions regarded as particularly pertinent. Under article 2, no order from a superior or exceptional circumstances might be invoked as a justification of torture. Article 4 referred to the obligation for each State party to make torture punishable under its criminal law and article 8 was aimed at facilitating the extradition of persons suspected of any of those acts. Article 14 ensured that a victim of an act of torture had the right to obtain equitable and adequate compensation. One of the most important provisions of the Convention was contained in article 15, whereby any statement which was established to have been made as a result of torture could not be invoked as evidence in any proceedings.

The implementation of the Convention was monitored by the Committee Against Torture, which consisted of 10 experts of high moral standing and recognized competence in the field of human rights serving in their personal capacity. The purpose of the presentation and the examination of a report was, as for all other treaty bodies, to start a constructive dialogue with the reporting State. Prior to the consideration of each report, the Committee appointed a rapporteur and an alternate. The members so designated, as well as other members, posed questions and made observations relating to the implementation of the Convention by the State party. In concluding the examination of the report, members of the Committee made general observations and the Chairman summarized and conveyed them to the delegation; those comments were included in the Committee's annual report submitted to the General Assembly.

Mrs. Santos Pais reviewed the history of the Convention on the Rights of the Child and addressed issues relating to its implementation. The Convention had been adopted by the General Assembly in November 1989 and

had entered into force less than a year after its approval. The unprecedented number of ratifications coming from all regions of the world showed a common political will to promote social progress and better standards of living by establishing a system of protection of the rights of the child. The Convention collected in the same text norms and principles on the rights of the child which had previously been enshrined in a variety of different instruments and were of a different nature. It not only envisaged the child as someone who needed special protection and assistance, but also as an individual who enjoyed rights and freedoms and was entitled to participate in the decision-making process of all the matters affecting him or her.

By acceding to the Convention, every State party had made a solemn commitment before the international community to create the necessary conditions for the effective exercise of the rights recognized therein. It was expected to act, respect and ensure the rights set forth in the Convention and, to that end, it had to adopt legislative, administrative or other measures. As an example of the commitment undertaken by State parties, Mrs. Santos Pais mentioned the provisions of article 42 concerning the dissemination of the Convention. In fact, in an innovating manner, article 42 established the need for the State to make the principles and provisions of the Convention widely known, both to adults and to children.

States parties had also undertaken to submit periodic reports on the measures adopted to give effect to the rights recognized in the Convention to the Committee on the Rights of the Child, a body composed of 10 independent experts representing the different regions of the world, as well as the principal legal systems. States' reports should contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned. To this end, reports should include information on the measures adopted to give effect to the rights of the child. They should also provide information on the progress made on the enjoyment of those rights, as well as on any factors or difficulties which might affect the degree of fulfilment of the obligations under the Convention. Those reports might even contain a request for technical advice or assistance in the implementation of the Convention and, since the Committee was to be assisted by specialized agencies, it might wish to transmit to those bodies such requests or indications.

Preparation of States' reports would also, at the domestic level, contribute in the identification of problems, the consideration of new policies and the establishment of new targets. Reporting should thus be used by Governments both to monitor their own achievements and to make public scrutiny possible. With a view to ensuring wider popular participation at the drafting stage, some countries had established national commissions on the rights of the child. Lastly, the submission of States' reports and the dialogue established with the Committee might be an important means to assist States

parties in fulfilling their conventional obligations, as well as a means to create deeper awareness and understanding of its provisions.

Discussion

Mr. Akiev (Member, Supreme Soviet of the Kazakhstan SSR) emphasized the need to preserve the integrity of the Union and outlined several acts recently passed by the Supreme Soviet of the Kazakhstan SSR in the field of human rights. Kazakhstan had constantly observed international human rights standards. A draft bill in accordance with which law enforcement officials could not be members of a political party had, for instance, been rejected on the basis of article 25 of the Covenant on Civil and Political Rights.

Several participants shared their personal experience and suffering regarding violations of human rights in the Soviet Union.

Mr. Avdeyev paid tribute to the memory of Mr. Sakharov who had played a crucial role in the promotion and protection of human rights in his country. He also underscored the need for a wider dissemination of information about the international human rights instruments and the activities of the corresponding human rights treaty bodies.

CLOSING SESSION

Mr. Houshmand, speaking on behalf of the Under-Secretary-General for Human Rights, expressed his gratitude to the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries and to the host of the Workshop, the Government of the Union of Soviet Socialist Republics. He observed that a number of common concerns had emerged from the discussion in the course of the week.

A first concern related to the implementation of human rights standards and instruments at the national level. Expert members of United Nations treaty bodies had outlined how international standards might be translated into effective protection at the domestic level. Furthermore, accession by the Soviet Union to the Optional Protocol to the Covenant on Civil and Political Rights allowing individuals to refer their complaints to the Human Rights Committee had been considered as fundamental. He added that similar steps with regard to optional clauses of the Convention on the Elimination of All Forms of Racial Discrimination and the Convention Against Torture, as well as to the Second Optional Protocol to the Covenant on Civil and Political Rights aiming at the abolition of the death penalty, might be envisaged by the authorities.

Several participants had described factors and difficulties affecting the implementation of human rights in the Soviet Union and referred to events of the previous week and the courageous resistance of the peoples of the Soviet Union, which had brought about the restoration of the constitutional Government. The need for a judiciary independent of pressure and influence had been underscored. Special concern had also been expressed regarding the preservation of the rights of nationalities, minorities and ethnic groups. Other concerns related to the treatment of detainees, the implementation of the right to privacy and, more generally, the situation of human rights in the administration of justice.

All those concerns emphasized that human rights remained basically a national issue. Mr. Houshmand pointed out that, as had been underlined during the course of the discussion, respect for human rights had to grow out of the political and legal culture of a country in order to be lasting. In that respect, national and local institutions, as well as media and non-governmental organizations, played a crucial role in the promotion and protection of human rights.

Several speakers had underlined that many law enforcement officials were not sufficiently aware of international legal standards in the field of human rights and, more particularly, of mechanisms set up to monitor their implementation. As had been underscored by Mr. Martenson, the Centre was striving to be in a position to respond effectively and efficiently to the growing need for information coming from Governments, groups and individuals in all Member States. Recommendations made during the course of the discussion relating to the organization of national and regional programmes for education, training and information in the field of human rights had been welcomed by the Centre for Human Rights.

Mr. Houshmand noted that human rights treaty bodies acted as the motors behind the translation of abstract legal norms into concrete respect for the rights of individuals. The periodic review of the performance of States parties in carrying out their treaty obligations made important contributions in helping States identify areas where legislation or practice might be below international norms and in encouraging corrective action. Human rights reporting, however, could not in itself provide solutions to all difficulties encountered by States parties in the implementation of human rights instruments. In that perspective, Mr. Houshmand expressed his confidence that the Soviet Union would find ways to ensure the fullest development of the qualities that characterized human beings and thus enhance respect for human rights and fundamental freedoms.

ANNEXES

Annex I

Programme of the Workshop on international human rights instruments and reporting obligations: preparation of reports to United Nations human rights treaty bodies

Moscow, 26 to 30 August 1991

Organized by the United Nations Centre for Human Rights in co-operation with the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries

Monday, 26 August

Morning: OPENING SESSION

Welcoming remarks by Mrs. Valentina Tereshkova, Chairman of the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries

Opening statement by Mr. Jan Martenson, Under-Secretary-General for Human Rights

Afternoon: WORKING SESSION I

The international system for the promotion and protection of human rights and implementation mechanisms

Speakers

Mr. Fausto Pocar, Chairman, Human Rights Committee

Mr. Bruno Simma, Member, Committee on Economic, Social and Cultural Rights

Discussion

Tuesday, 27 August

Morning: WORKING SESSION II

The international system for the promotion and protection of human rights and implementation mechanisms (*continued*)

Speakers

Mr. Fausto Pocar, Chairman, Human Rights Committee

Mr. Bruno Simma, Member, Committee on Economic, Social and Cultural Rights

Discussion

Afternoon: WORKING SESSION III

National institutions for the promotion and protection of human rights

Speakers

Mr. Enayat Houshmand, Deputy Director a.i. of the United Nations Centre for Human Rights

Mr. Yuri Reshetov, Member, Committee on the Elimination of Racial Discrimination

Discussion

Wednesday, 28 August

WORKING SESSIONS IV AND V

Basic principles with regard to the preparation and presentation of reports:

The Human Rights Committee and the Committee on Economic, Social and Cultural Rights

Speakers

Mr. Fausto Pocar, Chairman, Human Rights Committee

Mr. Bruno Simma, Member, Committee on Economic, Social and Cultural Rights

Discussion

Thursday, 29 August

WORKING SESSIONS VI AND VII

Basic principles with regard to the preparation and presentation of reports (*continued*):

The Committee on the Elimination of Racial Discrimination and the Committee Against Torture

Speakers

Mr. Michael Banton, Rapporteur, Committee on the Elimination of Racial Discrimination

Mr. Peter Burns, Rapporteur, Committee Against Torture

Discussion

Friday, 30 August

WORKING SESSION VIII

Basic principles with regard to the preparation and presentation of reports (*continued*):

The Committee on the Rights of the Child

Speaker

Mrs. Marta Santos Pais, Member, Committee on the Rights of the Child

Discussion

CLOSING SESSION

Speaker

Mr. Enayat Houshmand

Annex II

List of speakers

CHAIRMEN

Mr. E. HOUSHMAND	Chief, International Instruments and Procedures Branch, United Nations Centre for Human Rights
Mr. B. KRYLOV	Professor of Constitutional Law, Institute of Soviet State Government
Mr. J. MARTENSON	Under-Secretary-General for Human Rights
Mrs. V. TERESHKOVA	Chairman of the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries

LECTURERS

Mr. M. BANTON	Rapporteur, Committee on the Elimination of Racial Discrimination (CERD)
Mr. P. BURNS	Rapporteur, Committee Against Torture
Mr. F. POCAR	Chairman, Human Rights Committee
Mr. Y. RESHETOV	Member, CERD
Mrs. M. SANTOS PAIS	Member, Committee on the Rights of the Child
Mr. B. SIMMA	Member, Committee on Economic, Social and Cultural Rights

GUEST SPEAKERS

Mr. Y. AKIEV	Member, Supreme Soviet of the Kazakhstan SSR
Mr. E. AMETISTOV	Committee on Human Rights of the Supreme Soviet of the Russian Federation
Mr. G. AVDEYEV	Executive Secretary, Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries
Mr. Y. BARSEGOV	Head of Department, Institute of World Economy and International Relations
Mr. N. BORISOV	Trade Union Coalition

GUEST SPEAKERS (*continued*)

Mr. Y. CHERNEV	Chairman, Human Rights Union
Mr. Y. KOLOSSOV	Professor and Holder of the Chair of International Law, Moscow State Institute of International Relations
Mr. V. KUCHINSKY	Professor, Police Academy, Ministry of Home Affairs of the USSR
Mr. B. NAZAROV	President, Moscow Information Bureau for Human Rights
Mr. V. PETROVSKY	First Deputy of the Minister for Foreign Affairs of the USSR
Mrs. N. RYABOVA	Trade Union Coalition
Mr. T. SARIEV	Member, Supreme Soviet of the Turkmenistan SSR
Mr. Y. SARVAROV	Chairman, "Vaton" Society, All-Union Society of Meschetian Turks
Mr. A. SMIRNOV	Co-ordinator, Moscow Helsinki Groups
Mr. V. YAKOVLEV	Chairman of the Supreme Court of Arbitration of the Soviet Union

كيفية الحصول على منشورات الامم المتحدة

يمكن الحصول على منشورات الامم المتحدة من المكتبات ودور التوزيع في جميع انحاء العالم . استعلم عنها من المكتبة التي تتعامل معها أو اكتب الى : الامم المتحدة ،قسم البيع في نيويورك او في جنيف .

如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.

Printed at United Nations, Geneva
GE.91-18683
June 1992–10,100

United Nations publication
HR/PUB/91/5